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Message Text

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FOR AMBASSADOR RICHARDSON

FOL KUALA LUMPUR 0583 SENT ACTION SECSTATE INFO USUN GENEVA
JAN 24, 1978 REPEATED TO YOU QUOTE

UNCLAS KUALA LUMPUR 0583

E.O.11652: N/A
TAGS: PLOS, PGOV, MY
SUBJECT: LAW MINISTER'S STATEMENT ON LAW OF THE SEA CONFERENCE

REF: A) KUALA LUMPUR 0033 (NOTAL), B) STATE 012623 (NOTAL)

1. ON HIS RETURN TO KUALA LUMPUR JAN 21 FROM ATTENDING INITIAL MEETINGS OF 19TH SESSION OF THE AFRO-ASIAN LEGAL CONSULTATIVE COMMITTEE (AALCC) IN DOHA, QATAR, NEWLY APPOINTED LAW MINISTER AND ATTORNEY GENERAL DATUK SERI HAMZAH ABU SAMAH RELEASED A PRESS STATEMENT FOCUSSED LARGELY ON THE UN LAW OF THE SEA CONFERENCE. IN IT, HAMZAH NOTED THAT THE GOM DELE-GATION IN THE AALCC PLENARY HAD STATED THAT "THE DEVELOPING COUNTRIES SHOULD STAND UNITED AND WORK FOR A COMPROMISE FORMULA AT THE NEXT SESSION ON THE
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LAW OF THE SEA." RELEVANT EXCERPTS OF THIS STATEMENT ARE CONVEYED BELOW.

2. BEGIN TEXT. DURING THIS SESSION, THE COMMITTEE IS DEVOTING A GREAT DEAL OF ITS TIME TO DISCUSS THE VARIOUS OUTSTANDING ISSUES ON THE LAW OF THE SEA, SINCE THE NEXT SESSION ON THE UN LAW OF THE SEA

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CONFERENCE, TO BE HELD IN GENEVA, IS ONLY TWO MONTHS FROM NOW. THE COMMITTEE IS TRYING TO WORK OUT A SUITABLE FORMULA REGARDING THE EXPLOITATION OF THE INTERNATIONAL SEABED AREA BEYOND THE LIMIT OF NATIONAL JURISDICTION. THE FORMULA WHICH WILL PROTECT THE INTERESTS OF DEVELOPING COUNTRIES SHOULD ALSO BE ACCEPTABLE TO DEVELOPED COUNTRIES. OTHERWISE NO AGREEMENT WILL BE REACHED ON THIS ISSUE.

3. THE PROBLEM HERE, THEREFORE, IS TO BALANCE THE INTERESTS OF DEVELOPING AS WELL AS DEVELOPED COUNTRIES. AS WE KNOW, DEVELOPING COUNTRIES DO NOT POSSESS THE FINANCE AND TECHNOLOGY TO EXPLOIT THE RESOURCES OF THE SEABED IN THE AREA SUCH AS NICKEL, COPPER, COBOLT AND MANGANESE. ON THE OTHER HAND, THE ADVANCED INDUSTRIALISE COUNTRIED, WHO POSSESS THE TECHNOLOGY, ARE PREPARED TO EXPLOIT THE AREA. THESE ADVANCED COUNTRIES WANT TO HAVE ACCESS INTO THE AREA WITH AS LITTLE CONTROL AS POSSIBLE FROM THE PROPOSED INTERNATIONAL SEABED AUTHORITY, WHICH WILL BE THE GOVERNING AUTHORITY FOR THE AREA. BUT DEVELOPING COUNTRIES WANT THE AUTHORITY TO CONTROL AND SUPERVISE ALL ACTIVITIES IN THE AREA.

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4. AT THE END OF THE 6TH SESSION OF THE UN LAW OF THE SEA CONFERENCE HELD IN NEW YORK LAST YEAR, A THIRD REVISED TREATY TEXT KNOWN AS THE INFORMAL COMPOSITE NEGOTIATING TEXT, WAS PRODUCED. THE COMMITTEE IS NOW STUDYING THE TEXT, PARTICULARLY WITH REGARD TO THE EXPLOITATION OF THE INTER-NATIONAL SEABED AREA, AND WILL RECOMMEND TO MEMBER GOVERNMENTS AS TO HOW BEST IT SHOULD BE IMPROVED IN ORDER TO MAKE IT ACCEPTABLE NOT ONLY TO DEVELOPING COUNTRIES BUT ALSO TO DEVELOPED COUNTRIES.

5. APART FROM THE INTERNATIONAL SEABED AREA, THE COMMITTEE IS ALSO DISCUSSING ISSUES RELATING TO THE EXCLUSIVE ECONOMIC ZONE, THE CONTINENTAL SHELF, THE RIGHTS AND INTERESTS OF LAND LOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES AND THE QUESTION OF STRAITS.

6. OUR DELEGATION MADE A STATEMENT DURING THE PLENARY STATING OUR STAND AND VIEWS ON THE VARIOUS ISSUES ON THE LAW OF THE SEA. WE BELIEVE THAT WITH REGARD TO THE SEABED QUESTION, DEVELOPING

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COUNTRIES SHOULD STAND UNITED AND WORK FOR A COMPROMISE FORMULA AT THE NEXT SESSION ON THE LAW OF THE SEA. ON THE ECONOMIC ZONE AND CONTINENTAL SHELF, WE EXPRESSED OUR STRONG OBJECTION TO LONG DISTANT COUNTRIES CLAIMING THE WATERS, WHICH ARE ADJACENT TO OUR COAST. WE BELIEVE THAT ANY CLAIM TO ANY AREA OF THE SEA SHOULD BE BASED ON ACCEPTED RULES OF INTERNATIONAL LAW OTHERWISE THE RESULTS MAY BE CHAOTIC. END TEXT.

7. COMMENT: THESE ARE THE FIRST PUBLIC PRONOUNCEMENTS ON LOS ISSUES BY DATUK SERI HAMZAH SINCE ASSUMING OFFICE JAN 1 (HE FORMERLY
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HELD THE POST OF MINISTER OF TRADE AND INDUSTRY).

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